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Independent campaign efforts benefit Brown

ERIN MCCORMICK

OF THE EXAMINER STAFF

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Groups backing mayor spend more than \$1 million in runoff MAYOR'S RACE, ELECTION '99

Skirting the strict campaign contribution laws adopted by San Francisco voters, boosters of Mayor Willie Brown have pushed election spending into the stratosphere with an influx of soft money.

Supporters - ranging from taxi companies and developers to labor unions - have spent more than \$1 million on TV ads, mailers and other plugs for Brown since he began his runoff race against Board of Supervisors President Tom Ammiano on Nov. 5, according to city records.

The unprecedented outpouring of independent spending, a form of soft money spent outside direct control of the candidates, is in addition to more than \$600,000 Brown had in his re-election war chest for the runoff, as of Nov. 27. The identities of many of the soft money contributors remain a secret.

Ammiano supporters have reported spending \$4,553 in similar independent campaigns.

The spending by campaign outsiders represents an explosive new trend in San Francisco politics. It has increased 500-fold since the last mayor's race in 1995.

"The volume of spending is remarkable," said UC-Berkeley political scientist Bruce Cain, who said he had never heard of this many independent expenditures cropping up in a local race. "There are all these loopholes and evasions that were written into campaign reform laws. People are learning how to play the game."

By buying their own campaign advertising to support their candidate, donors can get around The City's contribution law, which limits gifts to a candidate to \$250 during a mayoral runoff.

So, for instance, instead of giving \$250 to Brown's campaign committee, the landlord group, Building Owners and Managers Association, gave \$22,600 this week to an independent committee formed by business lobbying interests.

That group, San Franciscans for Sensible Government, can now spend the money as it pleases to promote Brown.

Court ruling opens floodgates

Thanks to a recent court ruling allowing independent committees to accept donations of unlimited size, such tactics are being used as never before.

"We used to talk about candidates buying elections," said Supervisor Leland Yee, a supporter of campaign reform laws, who has often sided with Ammiano on the board. "Now we have independent expenditure committees buying the elections for them - and the candidates get off scot-free."

So far, San Franciscans for Sensible Government has spent more than \$400,000 to help Brown win Tuesday's runoff, according to city records. Labor organizations have reported spending at least \$300,000 in support of Brown since the runoff race began. The state Democratic Committee has poured in \$30,000 in runoff expenditures. And a new committee, the Willie Brown Leadership PAC, formed especially for the runoff, has raised and spent more than \$200,000.

P.J. Johnston, Brown's campaign spokesman, emphasized that Brown exerts no control over independent expenditures made to support his election.

But, he said "we're proud to have that support."

Two groups have reported making independent expenditures on Ammiano's behalf. Queers United in the Press has spent \$2,338 on newspaper ads and a group called San Francisco Environmental Organizations Supporting Tom Ammiano reported spending \$2,215 for an ad.

But Brown's supporters charged that another expenditure, for a mailer sent out by the San Francisco Tenants Union last week supporting Ammiano, has never been reported to The City's Ethics Commission.

Ted Gullickson of the tenants union acknowledged he had not yet reported the spending, which he said was about \$8,000.

Gullickson said he was not aware of the requirements that expenditures of more than \$1,000 made after Nov. 27 be reported within 24 hours.

"Am I late already?" he said Thursday. "I know it needs to be reported. I'm going down to City Hall to figure out how to do that now."

Between Oct. 17 and Nov. 27, Ammiano raised \$245,000. While some of that went for the three weeks Ammiano ran as a write-in candidate before the Nov. 2 general election, most of it is for his runoff campaign.

"We don't believe in independent expenditures for any candidate," said Ammiano's spokeswoman Belinda Griswald. "But we obviously can't stop people from doing it."

Soft money explosion

According to the Ethics Commission, in the last mayor's race in 1995, the combined independent expenditures for all candidates totaled less than \$2,000. This time, for the runoff alone, they are more than \$1.1 million.

"This demonstrates how much support there is for the mayor," said Jim Sutton, an attorney

for two independent committees that have spent money supporting Brown.

The donors "are scared to death by Ammiano and they want to contribute more than \$250," he said.

He said the courts have repeatedly ruled that governments cannot deny individuals and groups the right to spend their own money to "get on a soapbox" with their political views.

"It's not corruption," he said. "It's part of the democratic process."

The court rulings have frustrated reformers' attempts to control campaign spending. In the 1970s and again in 1995, San Franciscans voted to limit campaign contributions in local races.

In a mayoral race, individual donations were limited to \$500 for the November election and \$250 for a runoff.

The city attorney said the same limits applied to soft money donations to independent groups campaigning for or against mayoral candidates. Federal courts this year ruled that The City cannot impose that interpretation until its constitutionality is determined.

"Money in politics is like an air bubble underneath a carpet," said Kim Alexander of the California Voter Foundation, a Sacramento-based nonprofit that seeks to educate voters. "If you step on it one place, it just pops up somewhere else."

Tracing the money difficult

The independent expenditure drives make it difficult to track where the money really came from.

For instance, the Alice B. Toklas Lesbian and Gay Democratic Club, has run an independent campaign to support Brown, spending nearly \$200,000 for a television ad and a mailer since the Nov. 2 election.

Yet \$150,000 of that money was

transferred to the group by another independent expenditure committee, The Willie Brown Leadership PAC. That committee, started Nov. 23 by Sutton, a Marin attorney, took hefty contributions from business advocates.

It received \$40,000 from the Golden Gate Restaurant Association, \$36,000 from the Yellow Cab Co. and five contributions of \$25,000 from major real estate and development interests, including Baker Hamilton Properties, Howard Historic Properties and the Rosenberg Co. Airport Commissioner Michael Strunsky also contributed \$5,000.

But some of the biggest contributors to independent drives promoting Brown have been kept secret from the voters.

Because of a loophole in state law, some groups, including San Franciscans for Sensible Government and the county Democratic Committee, are not planning to file the names of

their contributors until January, when independent committees subject to state reporting requirements must disclose. If they were bound by city laws, they would have to make that disclosure now.

"It is expensive to file all this paperwork," said Mark Mosher, a co-organizer of San Franciscans for Sensible Government, who works for the Committee on Jobs, an organization representing downtown business in San Francisco.

Mosher said his group won't file any more information than is required by law.

He did say that the Committee on Jobs gave \$100,000 to the spending drive and that there were also big contributions from Don Fisher of the Gap, real estate owner Doug Shorenstein and investment banker Warren Hellman.

When asked how big, Mosher said, "Bigger than a bread box."

Campaign reform advocate Bob Stern of the Southern California-based Center for Governmental Studies, said the lack of disclosure robs voters of information they need to know.

"There's obviously a lot of money being spent," he said. "The question is: Who's spending it?"

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